

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER DISASTER
SITE LITIGATION

21 MC100 (AKH)

IN RE LOWER MANHATTAN DISASTER
SITE LITIGATION

21MC102 (AKH)

IN RE COMBINED WORLD TRADE
CENTER AND LOWER MANHATTAN
DISASTER SITE LITIGATION

21MC103 (AKH)

NOTICE OF MOTION FOR RELIEF: Dismissal of all claims and other related relief

PLEASE TAKE NOTICE that on a date to be determined by this Court, Plaintiffs as shall apply to the Honorable Alvin K. Hellerstein, United States District Judge, at the Southern District of New York located at 500 Pearl Street, New York, New York, Room 14-D for an Order seeking dismissals of all the claims against all defendants on all cases listed on Exhibit "A" annexed to the Declaration, pursuant to Federal Rule of Civil Procedure, Rule 41 (a) (2) and to have the Clerk of the Court so designate these cases as "dismissed" on the ECF system in their individual dockets. This dismissal is sought with prejudice and without costs. Further, an Order of the Court is sought with reference to those cases listed on Exhibit "B," (these cases already subject to a presumptive Order of Dismissal), annexed to the Declaration, pursuant to Federal Rule of Civil Procedure, Rule 41 (a) (2) and/or as otherwise the Court may direct, to formally dismiss these cases with prejudice and without costs, said cases having been presumptively dismissed pursuant to the following Orders: Order of the Court, "General Order Sua Sponte Dismissing Complaints" dated October 14, 2010 (Exhibit C); Endorsed Letter/Order of the Court, Worby Groner Edelman & Napoli Bern LLP, December 15, 2010 (Exhibit D); and

Endorsed Letter/Order of the Court, Worby Groner Edelman & Napoli Bern LLP, January 20, 2011 (Exhibit E); and to have the Clerk so designate these cases as “dismissed” on the ECF system in their individual dockets.

PLEASE TAKE FURTHER NOTICE that in support of this motion, moving Plaintiff relies upon the attached Declaration of David L. Kremen and supporting Exhibits.

Dated: New York, New York
March 9, 2012

OSHMANN & MIRISOLA, LLP

By: 
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TO:
All Counsel and Defendants
Notice provided by ECF filing of this Motion